

**ASSEMBLY BILL**

**No. 1870**

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**Introduced by Assembly Member Gallagher**  
(Coauthor: Senator Nielsen)

February 10, 2016

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An act to amend Section 6027 of the Penal Code, relating to corrections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1870, as introduced, Gallagher. Board of State and Community Corrections.

Existing law requires the Board of State and Community Corrections to collect and maintain available information and data about state and community correctional policies, practices, capacities, and needs, as specified. Existing law also requires the board, in consultation with the Administrative Office of the Courts, the Chief Probation Officers of California, and the California State Sheriffs' Association, to collect and analyze data regarding local plans implementing the 2011 public safety realignment.

This bill would require the board, in consultation with the Administrative Office of the Courts, the California District Attorneys Association, the California State Association of Counties, the California State Sheriffs' Association, and the Chief Probation Officers of California, to collect and analyze data regarding recidivism rates of all persons who receive a felony sentence punishable by imprisonment in county jail or who are placed on postrelease community supervision. The bill would also require the board to make this data available on the board's Internet Web site.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 6027 of the Penal Code is amended to  
2 read:

3 6027. (a) It shall be the duty of the Board of State and  
4 Community Corrections to collect and maintain available  
5 information and data about state and community correctional  
6 policies, practices, capacities, and needs, including, but not limited  
7 to, prevention, intervention, suppression, supervision, and  
8 incapacitation, as they relate to both adult corrections, juvenile  
9 justice, and gang problems. The board shall seek to collect and  
10 make publicly available up-to-date data and information reflecting  
11 the impact of state and community correctional, juvenile justice,  
12 and gang-related policies and practices enacted in the state, as well  
13 as information and data concerning promising and evidence-based  
14 practices from other jurisdictions.

15 (b) Consistent with subdivision (c) of Section 6024, the board  
16 shall also:

17 (1) Develop recommendations for the improvement of criminal  
18 justice and delinquency and gang prevention activity throughout  
19 the state.

20 (2) Identify, promote, and provide technical assistance relating  
21 to evidence-based programs, practices, and promising and  
22 innovative projects consistent with the mission of the board.

23 (3) Develop definitions of key terms, including, but not limited  
24 to, “recidivism,” “average daily population,” “treatment program  
25 completion rates,” and any other terms deemed relevant in order  
26 to facilitate consistency in local data collection, evaluation, and  
27 implementation of evidence-based practices, promising  
28 evidence-based practices, and evidence-based programs. In  
29 developing these definitions, the board shall consult with the  
30 following stakeholders and experts:

31 (A) A county supervisor or county administrative officer,  
32 selected after conferring with the California State Association of  
33 Counties.

34 (B) A county sheriff, selected after conferring with the California  
35 State Sheriffs’ Association.

1 (C) A chief probation officer, selected after conferring with the  
2 Chief Probation Officers of California.

3 (D) A district attorney, selected after conferring with the  
4 California District Attorneys Association.

5 (E) A public defender, selected after conferring with the  
6 California Public Defenders Association.

7 (F) The Secretary of the Department of Corrections and  
8 Rehabilitation.

9 (G) A representative from the Administrative Office of the  
10 Courts.

11 (H) A representative from a nonpartisan, nonprofit policy  
12 institute with experience and involvement in research and data  
13 relating to California's criminal justice system.

14 (I) A representative from a nonprofit agency providing  
15 comprehensive reentry services.

16 (4) Receive and disburse federal funds, and perform all  
17 necessary and appropriate services in the performance of its duties  
18 as established by federal acts.

19 (5) Develop comprehensive, unified, and orderly procedures to  
20 ensure that applications for grants are processed fairly, efficiently,  
21 and in a manner consistent with the mission of the board.

22 (6) Identify delinquency and gang intervention and prevention  
23 grants that have the same or similar program purpose, are allocated  
24 to the same entities, serve the same target populations, and have  
25 the same desired outcomes for the purpose of consolidating grant  
26 funds and programs and moving toward a unified single  
27 delinquency intervention and prevention grant application process  
28 in adherence with all applicable federal guidelines and mandates.

29 (7) Cooperate with and render technical assistance to the  
30 Legislature, state agencies, units of general local government,  
31 combinations of those units, or other public or private agencies,  
32 organizations, or institutions in matters relating to criminal justice  
33 and delinquency prevention.

34 (8) Develop incentives for units of local government to develop  
35 comprehensive regional partnerships whereby adjacent jurisdictions  
36 pool grant funds in order to deliver services, such as job training  
37 and employment opportunities, to a broader target population,  
38 including at-risk youth, and maximize the impact of state funds at  
39 the local level.

1 (9) Conduct evaluation studies of the programs and activities  
2 assisted by the federal acts.

3 (10) Identify and evaluate state, local, and federal gang and  
4 youth violence suppression, intervention, and prevention programs  
5 and strategies, along with funding for those efforts. The board shall  
6 assess and make recommendations for the coordination of the  
7 state's programs, strategies, and funding that address gang and  
8 youth violence in a manner that maximizes the effectiveness and  
9 coordination of those programs, strategies, and resources. By  
10 January 1, 2014, the board shall develop funding allocation policies  
11 to ensure that within three years no less than 70 percent of funding  
12 for gang and youth violence suppression, intervention, and  
13 prevention programs and strategies is used in programs that utilize  
14 promising and proven evidence-based principles and practices.  
15 The board shall communicate with local agencies and programs  
16 in an effort to promote the best evidence-based principles and  
17 practices for addressing gang and youth violence through  
18 suppression, intervention, and prevention.

19 (11) The board shall collect from each county the plan submitted  
20 pursuant to Section 1230.1 within two months of adoption by the  
21 county boards of supervisors. Commencing January 1, 2013, and  
22 annually thereafter, the board shall collect and analyze available  
23 data regarding the implementation of the local plans and other  
24 outcome-based measures, as defined by the board in consultation  
25 with the Administrative Office of the Courts, the Chief Probation  
26 Officers of California, and the California State Sheriffs'  
27 Association. By July 1, 2013, and annually thereafter, the board  
28 shall provide to the Governor and the Legislature a report on the  
29 implementation of the plans described above.

30 (12) Commencing on and after July 1, 2012, the board, in  
31 consultation with the Administrative Office of the Courts, the  
32 California State Association of Counties, the California State  
33 Sheriffs' Association, and the Chief Probation Officers of  
34 California, shall support the development and implementation of  
35 first phase baseline and ongoing data collection instruments to  
36 reflect the local impact of Chapter 15 of the Statutes of 2011,  
37 specifically related to dispositions for felony offenders and  
38 postrelease community supervision. The board shall make any  
39 data collected pursuant to this paragraph available on the board's  
40 Internet Web site. It is the intent of the Legislature that the board

1 promote collaboration and the reduction of duplication of data  
2 collection and reporting efforts where possible.

3 *(13) Commencing on and after July 1, 2017, the board, in*  
4 *consultation with the Administrative Office of the Courts, the*  
5 *California District Attorneys Association, the California State*  
6 *Association of Counties, the California State Sheriffs' Association,*  
7 *and the Chief Probation Officers of California, shall collect and*  
8 *analyze data regarding recidivism rates of all persons who receive*  
9 *a sentence pursuant to paragraph (2) or (5) of subdivision (h) of*  
10 *Section 1170 or who are placed on postrelease community*  
11 *supervision on or after July 1, 2017. The data shall include, as it*  
12 *becomes available, recidivism rates for these offenders one, two,*  
13 *and three years after their release in the community. The board*  
14 *shall make any data collected pursuant to this paragraph available*  
15 *on the board's Internet Web site on a quarterly basis beginning*  
16 *on September 1, 2018. As used in this paragraph, the term*  
17 *"recidivism" shall have the same meaning as the definition of the*  
18 *term developed pursuant to paragraph (3).*

19 (c) The board may do either of the following:

20 (1) Collect, evaluate, publish, and disseminate statistics and  
21 other information on the condition and progress of criminal justice  
22 in the state.

23 (2) Perform other functions and duties as required by federal  
24 acts, rules, regulations, or guidelines in acting as the administrative  
25 office of the state planning agency for distribution of federal grants.

26 (d) Nothing in this chapter shall be construed to include, in the  
27 provisions set forth in this section, funds already designated to the  
28 Local Revenue Fund 2011 pursuant to Section 30025 of the  
29 Government Code.